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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

INSPECTION REPORT

Partial: Complete: Exploration:

Inspection Date & Time: 9/27/94, 1:30 pm to 5:00 pm:
9/28/94, 8:00 am to 5:00 pm; 9/29/94, 8:00 am to 3:30 pm
Date of Last Inspection: August 10, 1994

Mine Name: Sunnyside Coal Mine County: Carbon Permit Number: ACT/007/007
Permittee and/or Operator's Name: Sunnyside Coal Company (SCC)
Business Address: PO Box 99, Sunnyside, Utah 84539
Type of Mining Activity: Underground Surface Prep. Plant Other
State Official(s): Henry Sauer
Company Official(s): Darrel Leonard
Federal Official(s): _____
Weather Conditions: 9/27 & 9/28 warm and sunny, 9/29 raining and cool
Existing Acreage: Permitted-14475 Disturbed-310 Regraded-0 Seeded-0 Bonded-310
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June) _____ (date)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/007

DATE OF INSPECTION: 9/27/94 - 9/29/94

(Comments are Numbered to Correspond with Topics Listed Above)

4. HYDROLOGIC BALANCE:

a. DIVERSIONS

c. OTHER SEDIMENT CONTROL MEASURES

NOV N94-32-2-2, Part 1 was issued for "Failure to maintain diversion structures and siltation structures". The provisions of the act violated are as follows: R645-301-742.312 ; R645-301-742.210. The portion of the operation to which the NOV applies is as follows:

Diversion Structures:

Sacco Flats outside Ditch and outslope; SSSF Spoil Pile berm and area eroded below the spoil pile to Grassy Trail Creek; Inside road berm adjacent to the train loadout; Road ditch below the Shop Fan to the Wash Plant; Rail Road switch House Berm; Berm and associated erosion adjacent to the No One Mine Trestle.

Siltation Structures:

Silt fence on top of the SSSF Pond; Silt fence below the Dugway Gate.

Maintenance Items

The lower Water Canyon silt fences requires ~~minor~~ minor maintenance.

The No. Two Canyon Fan Road inside ditch needs to be cleaned throughout its length.

The culvert inlet adjacent to the bridge above the Lower No. Two Canyon Sediment Pond needs cleaning.

4. b. SEDIMENT PONDS AND IMPOUNDMENTS

NOV N94-32-2-2, Part 2 was issued for "Failure to conduct quarterly impoundment inspections during the second quarter of 1994". The provision of the act violated are as follows: R645-301-514.330; R645-301-743.140. The portion of the operation to which the NOV applies is as follows: Twin Shafts Sediment Pond; Old Whitmore Sediment Pond; New Whitmore Sediment Pond; Manshaft Sediment Pond; Lower No. Two Canyon Sediment Pond; Upper No. Two Sediment Pond; No. Three Mine Sedimentation Pond; Surface Facilities Sedimentation Pond.

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PERMIT NUMBER: ACT/007/007 DATE OF INSPECTION: 9/27/94 - 9/29/94

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

Two large depressions have formed on the east end of the Water Canyon Refuse Pile. The depressions are the result of coal fires within the pile. The depressions have enlarged substantially within the last two months.

9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES

On September 29, 1994 the undersigned inspector observed the deep well drilling project in Water Canyon (commonly know as Asphalt Canyon). When I arrived the mud pit retention pond was discharging fluid into a temporary diversion ditch which diverted the flow around the toe of the pond embankment and eventually conducted the fluid to the ephemeral channel in Water Canyon Channel.

The flow out of the pond was approximately two gallons per minute. A persistent surface foam was observed on top of the water and photographs were taken. The same type of foam was observed in Grassy Trail Creek approximately one mile below the confluence of Water Canyon and Grassy Trail Creek. However, when I observed the ephemeral channel of Water canyon at the point it proceeds under the county road no flow was observed. I therefore concluded that flow was not reaching Grassy Trail Creek. Given the observation noted above I concluded that the foam in Grassy Trail Creek was attributable to past discharges from the drilling project retention pond into Grassy Trail Creek.

The color of the fluid in the drilling project retention pond and the Water Canyon channel was gray. This lead me to the conclusion that drilling fluids (i.e. lubricants, sealants, surfactants, etc.) down hole water and drill shavings were suspended within the fluid.

I immediately recognized the circumstances described above as potential violations of UPDES requirements and began an investigation of the situation. First, I spoke with Mr. Jim Comas representing Eckoff, Watson and Preator (environmental consultants for the Sunnyside Cogeneration Associates) regarding the disturbance and discharge relating to the drilling project. Mr. Comas was under the impression that all of the compounds in the fluid discharge were environmentally safe and that siltation structure had been placed within the ephemeral channel of Water Canyon. Second, I contacted Ms. Pamela Grubaugh-Littig (DOGM) to determine the Divisions' jurisdiction surrounding the drilling operations. Ms. Littig informed me that the Division had determined these activities to be non-mine related and therefore the Division had no regulatory jurisdiction. I then contacted Mr. Mike Herkimer representing the Division of Water Quality. Mr. Herkimer informed me that the drilling project was not allowed to discharge fluid of any kind to the waters of the state of Utah. Mr. Herkimer said he would be up to the site on 9/30/94 and would assess the situation and collect water samples.

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PERMIT NUMBER: ACT/007/007 DATE OF INSPECTION: 9/27/94 - 9/29/94

Mr. Darrel Leonard, representing Sunnyside Coal Company, informed me that he had just received a FAX from JBR Consultants. The Fax described JBRs' plans to visit the Sunnyside Mine in order to group the barrels and content thereof in accordance with the type of chemicals and disposal procedures required under RCRA.

12. BACKFILLING AND GRADING

The progress of reclamation activities in Fan Canyon was observed. Essentially nothing has been done on site since Fall of 1993. Refuse remains exposed, rough grading has been accomplished on three quarters of the pad area, Russian thistle have invaded, are robust and have produced copious quantities of seed. A straw bale dike is in place below the pad area.

18. SUPPORT FACILITIES/UTILITY INSTALLATIONS

The Twin Shafts Emulsion Tank has been removed by Century Lubricants (owner of tanks). In doing so the emulsion building's west wall was destroyed.

The propane tanks on the Manshaft pad have been removed by the owner.

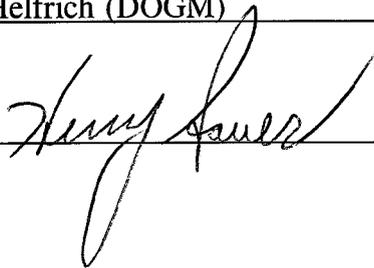
The Manshaft Hoist and the Twinshaft Fan have been removed. Both shafts associated with these structures have been capped with concrete.

Copy of this Report:

Mailed to: Bernie Freeman (OSM), Bob Burnham (SCC)

Given to: Joe Helfrich (DOGM)

Inspector's Signature: _____



#32 Date: October 6, 1994